

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.** \_\_\_\_\_  
**v.** : **DATE FILED:** September 20, 2007  
**GERALD BIRNIE** : **VIOLATION:**  
: **18 U.S.C. § 2113(a)**  
: **(attempted bank larceny - 1 count )**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about March 9, 2007, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**GERALD BIRNIE**

entered and attempted to enter the Wachovia Bank, at 6400 Frankford Avenue, which is insured  
by the Federal Deposit Insurance Corporation, with intent to commit larceny, that is to steal the  
money inside the ATM located in the bank building.

In violation of Title 18, United States Code, Section 2113(a).

**A TRUE BILL:**

\_\_\_\_\_  
**FOREPERSON**

\_\_\_\_\_  
**PATRICK L. MEEHAN**  
**United States Attorney**